

REMARKS

The Examiner has rejected claims 4-9 under 35 U.S.C. 112, second paragraph for failing to particularly point out the subject which the applicant regards as his invention. Claim 4 has been amended to correct a typographical error. No new matter has been added. The amendment of claim 4 addresses the Examiner's antecedent basis concerns for claims 5-6 as well. Claim 7 has been amended for clarity and to place it in a more conventional computer readable medium format. No new matter has been added. The amendment of claim 7 addresses the Examiner's antecedent basis concerns for claims 5-6 as well.

The Examiner has rejected claims 1-9 under 35 U.S.C. 102(e) as being anticipated by Schmidt (U.S. Patent No. 6523059). Additionally, the Examiner has rejected claims 1, 4, and 7 under 35 U.S.C. 103(a) as unpatentable over Jeffords et al. (U.S. Patent No. 6510478). These rejections are respectfully traversed as outlined below.

Rejections under 35 U.S.C. 102(e)

The Examiner has rejected claims 1-9 under 35 U.S.C. 102(e) as being anticipated by Schmidt (U.S. Patent No. 6523059). Examiner points to col. 10, etc to show "altering the state of substantially all threads that are inconsistent to a consistent state". However, Applicants respectfully submit that Schmidt teaches the alteration of the state of each individual thread, *one at a time*. The process in Schmidt, as can be seen in Schmidt Figures 7A-7E, and described in detail in columns 11-13, clearly shows the examination of each individual thread. Specifically, see Figure 7B and col. 11, lines 6-54, which clearly outline the process of marking all threads unexamined (col. 11, line 12), setting a counter equal to the number of threads (col. 11, line 14), and then goes into an extended discussion of how each thread is examined.

Claim 1, in contrast, reads, in relevant part:

altering the state of the *substantially all threads* that are inconsistent to a consistent state;

(emphasis added). Applicants respectfully assert that Schmidt fails to claim the unique inventive step of altering the state of substantially all inconsistent threads, and therefore cannot be said to anticipate Claim 1 under 35 U.S.C. 102(e).


Accordingly, Applicants believe that independent Claim 1 is allowable over Schmidt for at least this reason. Further, independent Claims 4 and 7 recite similar language as Claim 1 and are allowable for similar reasons. Claims 2-3, 5-6, and 8-9 are each dependent from allowable independent claims and are allowable for at least the same reasons as given for claim 1.

Rejections under 35 U.S.C. 103(a)

The Examiner has rejected claims 1, 4, and 7 under 35 U.S.C. 103(a) as unpatentable over Jeffords et al. (U.S. Patent No. 6510478). Applicants note that Jeffords suffers from the same defect as Schmidt, i.e., alteration of the state of threads one at a time (see Figure 5, for instance). Thus, Jeffords does not overcome the defects of Schmidt. Neither Schmidt nor Jeffords, either taken alone or in any reasonable combination of the two, teaches the unique inventive step of altering the state of substantially all inconsistent threads, and therefore cannot be said to anticipate Claim 1 under 35 U.S.C. 102(e). As noted above with respect to Examiner's 102(b) rejection, Claims 1, 4, and 7 contemplate altering the state of substantially all threads at the same time and are allowable for at least this same reason. All other claims are dependent on allowable base claims and are allowable for at least the same reason as given for the base claims.

Applicants believe that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
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